

FILED - USDC -NH
2022 FEB 17 PM 12:31

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

DEMETRIUS A. BROWN, 51104,

Plaintiff(s)

v.

COMPLAINT

LITTLETON COIN COMPANY,

Defendant(s)

Parties to this Complaint

Plaintiff(s)'s Name, Address and Phone Number

DEMETRIUS ALEXANDER BROWN, 51104
SUMTER-LEE REGIONAL DETENTION CENTER (SLROC)
1250 WINKLES ROAD
SUMTER, SC 29153
(843) 475-1555 (MOTHER'S PHONE MISS. LINDA BROWN)

Defendant(s)'s Name, Address and Phone Number

LITTLETON COIN COMPANY
1309 MT. EUSTIS ROAD
LITTLETON, NH 03561-3735
24 HOUR FAX: (603) 444-4273

Jurisdiction and Venue:

(Explain why your case is being filed in federal court and why the court is legally permitted to hear your case. Add additional sheets as necessary.)

The disclosed defendant was advertising through interstate commerce and when I responded to the advertisement to receive the product that the company discriminated against my persons and treated me differently than other similarly situated persons in direct violation of the Civil Rights Act of 1964 banning discrimination in employment and public places and in direct violation of the rights afforded to me by the First Amendment and the Due Process and Equal Protection Clauses of the Fourteenth Amendment of the U.S. Constitution; thus authorizing me the right to file this case in federal court and legally permitting the Court to hear my case due to the disclosed federal violations I had and have a guaranteed right to.

Statement of Claim:

(As briefly as possible, state each claim you have against defendant(s) and state the legal cause of action, facts, and circumstances that gave rise to your claim(s). Add additional sheets as necessary.)

Due to the actions and inactions of the Littleton Coin Company intentionally discriminating against me [REDACTED] and treating me differently than other similarly situated persons by refusing to process my order in response to an advertisement they were advertising in interstate commerce in violation of the Civil Rights Act of 1964, my rights afforded and guaranteed to me by the First Amendment and the Due Process and Equal Protection Clauses of the Fourteenth Amendment of the U.S. Constitution was violated causing me a denial of my Civil rights, mental anguish, anxiety issues, emotional distress, and other grievous injuries.

It is well-established that (1) under the First Amendment that the right of freedom of speech and press includes not only the right to utter or print, but the right to distribute, the right to receive, the right to read and freedom of inquiry, freedom of thought ...; (2) the demands of equal protection of the laws and of due process prohibit depriving pre-trial detainees of the rights of other citizens to a greater extent than necessary to assure appearance at trial and security of the jail; (3) pre-trial detainees do not stand on the same footing as convicted inmates; (4) subjecting pre-trial detainees to restrictions and privations other than those which inhere in their confinement itself or which are justified by compelling necessities of jail administration is a violation of the due process and equal protection clauses of the Fourteenth Amendment; (4) ... [detainees] are not to be subjected to any hardship except those absolutely requisite for the purpose of confinement only, and they retain all the rights of an ordinary citizen except the right to go and come as they please, otherwise their confinement... denies them the equal protection of the laws; (5) Pretrial detainees are people, not outcasts who are presumed to be innocent of any crime and who have rights guaranteed by the Constitution, as do all citizens, and (6) under the Equal Protection Clause the intentional, arbitrary, and unequal treatment of similarly situated individuals under the law is prohibited, but regardless of the disclosed well-established/clear/established law the disclosed defendant still intentionally ignored and neglected it.

In the beginning of Dec. 2021 I received an advertisement from the Littleton Coin Company in one of the newspapers I subscribe to and in this advertisement

that was being circulated through interstate commerce it stated it was offering a Free 2021 KENNEDY HALF DOLLAR and that to receive it ~~my~~ my order [must] be received within 15 days and it also stated along with the free coin, I would also receive a handpicked trial selection of fascinating coins from their No-Obligation Coins-On-Approval Service, from which I may purchase any or none of the coins - return balance within 15 days - with option to cancel at any time. And it further stated that this Special Offer for New Customers Only Ages 18+ and the order form disclosed the Total price for the 2021 Kennedy Half Dollar (mint mark of their choice) as being -Free, the shipping cost as being -Free, and the Total for everything as being -Free and with me being a huge fan of President "JFK" I truly wanted this to add to my own home coin collection, so I filled out the ~~my~~ order form at put my home address on the form so that I wouldn't have to risk my coin being lost or stolen by the detention center's staff in hopes that it would make it in my personal property from the mail room and I would just have my wife put in our personal safe or safe deposit box at the bank, but on Dec. 21, 2021 I received a letter directly from the company thanking me for my recent order and stating unfortunately, we are no longer able to create accounts and accept payments from individuals in correctional facilities, regardless if it is being sent to an alternate address, then thanking me for my understanding. Intentionally discriminating against me as a pretrial detainee when I retain all my rights just as any other citizen in society other than the right for me to leave this facility before my case is heard before the Court, in which they

intentionally infringed upon my rights to receive which is guaranteed and protected by the First Amendment as well as my right to be treated the same as every other similarly situated person which is guaranteed to me and protected by the Equal Protection ~~Clause~~ Clause of the Fourteenth Amendment of the U.S. Constitution.

Just as I was afforded the right to subscribe to the same newspaper in which I received the defendant's advertisement I should have been afforded to receive this free coin as was advertised, but yet I was discriminated against by the disclosed defendant stating they no longer able to create accounts and accept payments from individuals in correctional facilities, when clearly I am not a convicted inmate nor housed in correctional facility which are for convicted persons, I am a pretrial detainee detained to a detention facility innocent of any crime awaiting trial and retaining all rights as any other citizen, but denied to receive a "Free" coin from the disclosed defendant as they have publicly advertised.

On Dec. 28, 2021 I sent/served the disclosed Defendant with a Form COL "Violation Warning Denial of Rights Under Color of Law, (Public Domain-Privacy Form COL(01)) informing them of their violations against me and allowing them (30) thirty days to respond in which they intentionally neglected and ignored my Form COL so I didn't to initiate this Civil Rights Complaint against them.

The actions and inactions of the disclosed defendant disclosed in this complaint were in direct violation of ~~the~~ clear and well established law, the Civil Rights Act of 1964,

18 U.S.C. § 242, 18 U.S.C. § 245, and 42 U.S.C. § 1983
as well as in direct violation of my rights afforded and guaranteed
to me by the First Amendment and the Due Process and Equal
Protection Clauses of the Fourteenth Amendment of the U.S.
Constitution.

Relief Requested from the Court:

(Briefly state exactly what you want the Court to do for you. Add additional sheets as necessary.)

① DECLARATORY RELIEF — For the Court to Establish the rights of the parties and express the opinion of the Court on the questions of law regarding the disclosed issues in this Complaint;

② INJUNCTIVE RELIEF:

① For the Court to hold the disclosed defendant accountable for their actions and inactions depriving me of my constitutional rights disclosed in this Complaint to the fullest extent of the law and in compliance with the Civil Rights Act of 1964, 18 U.S.C. § 242, 18 U.S.C. § 245, and 42 U.S.C. § 1983;

② For the Court to order the disclosed defendant to fulfill and complete my order for the "FREE" 2021 Kennedy Half Dollar coin I irrevocably ordered from the disclosed defendant;

③ EXEMPLARY [PUNITIVE] DAMAGES — For the Court to award me a monetary amount in its own discretion for damages due to the deprivation of my civil rights due to the disclosed defendant's intentional actions and inactions disclosed in this Complaint;

④ I pray that the Court grants whatever else relief it feels is appropriate, i.e. "and such other and further relief as to the Court may seem just and proper." Thank You.

Jury Demand

☐ Check this box if you are requesting a jury trial (if you want a jury of your peers to decide your case).

☒ Check this box if you are NOT requesting a jury trial (if you want the assigned judge to decide your case).

Date: FEB. 14, 2022

Signature: Demetrius A. Brown
DEMETRIUS A. BROWN